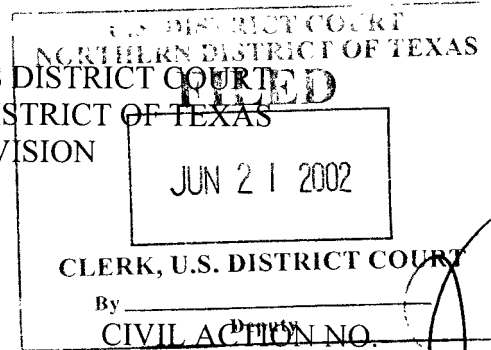


ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION



JAMAL ELHAJ-CHEHADE,
Plaintiff,

v.

EDUCATIONAL COMMISSION FOR
FOREIGN MEDICAL GRADUATES,
Defendant.

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3:01-CV-01301-L

**DEFENDANT EDUCATIONAL COMMISSION FOR FOREIGN MEDICAL
GRADUATES MOTION FOR SANCTIONS**

Educational Commission For Foreign Medical Graduates (“ECFMG”), Defendant in the above-entitled and numbered cause, files this Motion For Sanctions pursuant to Federal Rule of Civil Procedure 11 and seeks recovery of monetary damages and an order preventing further filings by Jamal Elhaj-Chehade (“Chehade”) without leave of court. In support thereof, ECFMG would respectfully show this Court as follows:

1. The summary of argument and legal and factual grounds in support thereof are that Chehade has demonstrated a clear history of 1) disrespecting and disregarding both federal courts and their orders; 2) making multiple and frivolous filings; 3) attempting to maintain two separate suits at the same time for the same acts allegedly committed by ECFMG; and 4) voicing a clear intent to continue making harassing filings not only against ECFMG but also against their attorneys and any court which rules in favor of ECFMG.

2. ECFMG will rely on the separately filed Brief and Appendix in Support of Motion For Sanctions, all of which is incorporated by reference into this Motion for Summary Judgment.

3. ECFMG further states that it has not sent the twenty-one-day notice required by Federal Rule of Civil Procedure 11(c)(1)(A). However, pursuant to *Donaldson v. Clark*, 819

F.2d 1551, 1560 (11th Cir. 1987), “notice can come from the party seeking sanctions, or from the court or both.” As discussed in greater detail in ECFMG’s Brief in Support of Motion for Sanctions, both this Court and other courts in the Northern District of Texas have repeatedly cautioned and reprimanded Chehade for making frivolous filings. Despite these warnings, Chehade has continued in his improper filings. Therefore, ECFMG contends that, under *Donaldson v. Clark*, Chehade has been given proper notice and reasonable time to withdraw his filings. Moreover, ECFMG contends that Chehade is a “vexatious litigant” and will in all likelihood continue to harass ECFMG unless he is ordered to first obtain leave for future filings. Consequently, providing the Chehade the opportunity to withdraw his pleadings will not adequately address the primary relief sought by ECFMG.

PRAYER

ECFMG prays that the Court grant this Motion for Sanctions. ECFMG also prays that the Court order any and all other relief to which it may show itself justly entitled.

Respectfully submitted,

By: 

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**ATTORNEYS FOR DEFENDANT
EDUCATIONAL COMMISSION FOR
FOREIGN MEDICAL GRADUATES**

CERTIFICATE OF SERVICE

The undersigned certifies that on this 21ST day of June, 2002, a true and correct copy of the above and foregoing document was served upon the following party appearing *pro se* of record via certified mail, return receipt requested:

Jamal Elhaj-Chehade
5414 Cedar Springs, #806
Dallas, Texas 75235
(214) 521-7541

Certified Mail, Return Receipt.



Mark C. Roberts II

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